

REMARKS

Claim 1 has been amended to recite the subject matter of Claims 2 and 3. Claim 6 has been amended to correct its dependency. Claims 2 and 3 have been canceled. Upon entry of this Amendment, which is respectfully requested, Claims 1 and 4-10 will be pending.

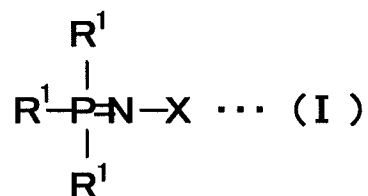
Response to Claim Rejections Under § 102

A. Claims 1, 2 and 5-10 have been rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 5,824,433 to Angell et al. Applicants respectfully traverse.

Without acquiescing the correctness of the rejection, Claim 1 has been amended to incorporate the subject matter of Claim 3, which is not part of the present rejection. Thus, withdrawal of the rejection is respectfully requested.

B. Claims 1-3 and 5-10 have been rejected under § 102(e) as allegedly being anticipated by U.S. Patent No. 6,955,867 to Otsuki et al. Applicants respectfully traverse.

The present claims are directed to an additive for a non-aqueous electrolyte of a secondary battery characterized by comprising a phosphazene derivative represented by the following formula (I):



(wherein R^1 is independently a halogen element or a monovalent substituent; and X is an organic group containing at least one element selected from the group consisting of carbon, silicon, nitrogen, phosphorus, oxygen and sulfur), wherein at least one of R^1 's in the formula (I) is fluorine.

In addition, as disclosed at paragraph [0023] of the present specification, when at least one of the R¹'s is a halogen, flame retardance is improved. Further, when the halogen is fluorine, the viscosity is low.

Otsuki '867 broadly discloses a phosphazene derivative, but fails to disclose or suggest a phosphazene derivative of formula (I), above, wherein at least one of the R¹'s is fluorine, i.e., fluorine is directly bonded to phosphorus, as presently claimed.

The phosphazene derivative A disclosed at paragraphs [0044] and [0045] of the present specification, corresponds to the chain EO type phosphazene derivative used in the Examples of Otsuki '867. As seen from Table 1 of the present specification, the phosphazene derivatives B, C and D, according to the present invention, have much lower viscosities as compared with the phosphazene derivative A disclosed in Otsuki '867.

In this regard, the viscosity of the phosphazene derivative is lowered by directly associating fluorine with phosphorus, as clearly seen from the comparison of the phosphazene derivative A and the phosphazene derivative B in the present specification. More particularly, when at least one of the R¹'s is fluorine, as shown in Table 1, the viscosity becomes low, thereby improving the electric conductivity of lithium ion in the electrolyte, such that quick discharge characteristics and quick charge characteristics are obtained. *See*, paragraph [0026] and Table 2 of the present specification. One skilled in the art would not expect these results based on Otsuki '867's disclosure.

Thus, Otsuki '867 fails to anticipate or render obvious the present claims. Accordingly, withdrawal of the rejection is respectfully requested.

C. Claims 1-3 and 5-10 have been rejected under 35 U.S.C. § 102(b)/(a) as allegedly being anticipated by WO 0186746/EP 1289044 to Otsuki et al. Applicants respectfully traverse.

Similar to Otsuki '867, Otsuki '044 broadly discloses the phosphazene derivative, but fails to disclose or suggest a phosphazene derivative of the formula (1) wherein at least one of the R¹'s is fluorine. Thus, for the reasons discussed above with respect to Otsuki '867, Otsuki '044 fails to anticipate or render obvious the present claims. Accordingly, withdrawal of the rejection is respectfully requested.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

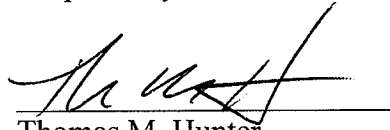
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